

AMENDED IN SENATE JUNE 24, 2002

AMENDED IN ASSEMBLY APRIL 16, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2442

Introduced by Assembly Member Keeley
(Coauthors: Assembly Members Alquist, Aroner, Bates, Diaz,
Goldberg, Maldonado, Simitian, and Steinberg)
(Coauthors: Senators McPherson and Polanco)

February 21, 2002

An act to add *and repeal* Section 11174.4 ~~to~~ of the Penal Code, relating to child abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 2442, as amended, Keeley. Child abuse.

Existing law establishes the Child Abuse and Neglect Reporting Act (CANRA), which requires specified persons to make a report to any police department or sheriff's department, county probation department, or county welfare department whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Existing law also requires the Department of Justice to act as a repository of all reports of child abuse and severe neglect submitted by mandated reporters to police and sheriff's departments, county probation departments, and county welfare departments. Existing law requires the Department of Justice to maintain and continually update an index of these reports designated the

Child Abuse Central Index. The agencies submitting reports are responsible for their accuracy, completeness, and retention in the index; the department is responsible for ensuring that the index accurately reflects the reports it receives from the submitting agencies.

This bill would create a task force for the purpose of reviewing the Child Abuse and Neglect Reporting Act and the Child Abuse Central Index. The task force would be chaired by a designee of the Attorney General and be comprised of ~~15~~ 16 members who would serve at the pleasure of the chairperson without compensation, except for reimbursement for necessary expenses. This bill would provide that the task force would meet at least once every 2 months and on or before January 1, 2004, report its findings and recommendations to the Governor, the Attorney General, the Speaker of the Assembly, and the Senate Committee on Rules. *This bill would specify that these provisions shall remain operative only until March 1, 2004.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11174.4 is added to the Penal Code, to
- 2 read:
- 3 11174.4. (a) There is hereby created the Child Abuse and
- 4 Neglect Reporting Act Task Force for the purpose of reviewing the
- 5 act and addressing the following:
- 6 (1) The value of the Child Abuse Central Index in protecting
- 7 children.
- 8 (2) Changes needed with respect to the *Child Abuse and*
- 9 *Neglect Reporting Act, including but not limited to, the operation*
- 10 *of the Child Abuse Central Index.*
- 11 (b) The task force shall be chaired by a designee of the Attorney
- 12 General.
- 13 (c) The members of the task force shall serve at the pleasure of
- 14 the chairperson, without compensation, except for reimbursement
- 15 of necessary expenses. The task force shall be composed of the
- 16 following representatives:
- 17 (1) ~~Two representatives~~ *One representative* of the Department
- 18 *of Justice, in addition to the chairperson.*
- 19 (2) One representative of the State Department of Social
- 20 Services.

1 (3) One representative of the County Welfare Directors’
2 Association.

3 (4) One representative of the California State Child Death
4 Review Council.

5 (5) Two representatives of local law enforcement, one selected
6 by the California State Sheriffs’ Association and one selected by
7 the California Police Chiefs’ Association.

8 (6) One representative of the Judicial Council.

9 (7) *Two representatives of the State Bar of California, one of*
10 *whom practices criminal defense and one of whom represents*
11 *children in criminal and civil proceedings.*

12 (8) Two representatives of recognized organizations involved
13 in privacy advocacy, civil liberties advocacy, or legal aid, one of
14 whom is appointed by the Speaker of the Assembly and one of
15 whom is appointed by the Senate Committee on Rules.

16 ~~(8)~~

17 (9) Two members of the public, one of whom is appointed by
18 the Speaker of the Assembly and one of whom is appointed by the
19 ~~Governor~~ Senate Committee on Rules.

20 ~~(9)~~

21 (10) Two representatives appointed by the Governor.

22 (d) The Department of Justice shall provide staff and support
23 for the task force.

24 (e) The task force shall meet at least once every two months.
25 Subcommittees may be formed and meet as necessary. All
26 meetings shall be open to the public.

27 (f) On or before January 1, 2004, the task force shall report its
28 findings and recommendations to the Governor, the Attorney
29 General, the Speaker of the Assembly, and the Senate Committee
30 on Rules. *At the request of any member, the report may include*
31 *minority findings and recommendations.*

32 (g) *This section shall become inoperative on March 1, 2004,*
33 *and is repealed as of January 1, 2005, unless a later enacted*
34 *statute, that becomes operative before January 1, 2005, deletes or*
35 *extends that date.*